



**EPIGENESIS**  
PHARMACEUTICALS

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## FAX COVER SHEET

#33/ Notice  
of  
Appeal

To: Dr. Janet Epps

Company: US PTO -GAU 1635

Fax No: 703-305-7939

FROM: Viviana Amzel DATE: 5/4/01 TIME: 3:59 PM  
Direct Dial: (409) 609-3035 E-Mail: vamzel@epigene.com  
TOTAL NO. OF PAGES: 14 Ref. No.: USSN 09/093,972 (EPI-00672)  
(including cover page)

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### COMMENTS

Enclosed is a Notice of Appeal.

Thanks.

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MAY - 4 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appl.: Jonathan W. Nyce : Art Unit: 1635  
Serial No.: 09/093,972 : Examiner: Dr. Epps  
Filed: June 9, 1998 : Appl. Ref. No.: EPI-00672

For: COMPOSITION, FORMULATIONS & METHOD FOR PREVENTION &  
TREATMENT OF DISEASES AND CONDITIONS ASSOCIATED WITH  
BRONCHOCONSTRICTION, ALLERGY(IES) & INFLAMMATION

COVER SHEET

Assistant Commissioner for Patents  
Washington, D.C. 20231

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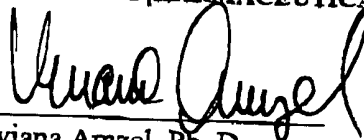
MAY - 4 2001

Sir/Madam:

Enclosed for filing is the following:

1. Notice of Appeal
2. This Cover Sheet
3. Fax Cover sheet

Respectfully submitted.  
EPIGENESIS PHARMACEUTICALS, INC.



Viviana Amzel, Ph. D.

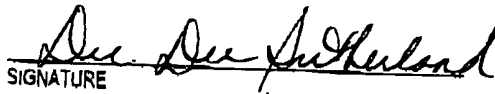
Reg. No. 30,930

Attorney for Applicant(s)

May 4, 2001  
(Date)

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703-305-7939, to the Assistant Commissioner for Patents,  
Arlington, VA 22202, on May 4, 2001, by Dee Dee  
Sutherland.

  
SIGNATURE

SERIAL NO: 09/093,972

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: J nathan W. Nyce : Art Unit: 1635  
 Serial No.: 09/093,972 : Examiner: Dr. Epps  
 Filed: June 9, 1998 : Appl. Ref. No.: EPI-00672


For: COMPOSITION, FORMULATIONS & METHOD FOR PREVENTION &  
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NOTICE OF APPEAL

MAY - 4 2001

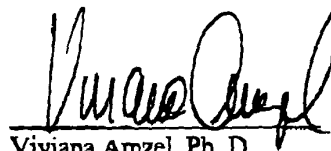
I hereby certify that this correspondence is being faxed at 703-305-7939, to the Assistant Commissioner for Patents, Washington DC 20231 on May 4, 2001, by Dee Dee Sutherland

  
 SIGNATURE

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated April 25, 2001 of the Examiner rejecting Claims 125, 131, 191, 219, 220 and 229-231.

The Commissioner is authorized to charge the Notice of Appeal fee of \$155.00 for a small entity, and additional fees required in connection with this communication which are not specifically provided for herewith, to Deposit Account Number 50-1728 in the name of EpiGenesis Pharmaceuticals, Inc. Any overpayments are also authorized to be credited to this account.

Respectfully submitted.  
 EPIGENESIS PHARMACEUTICALS, INC



Viviana Amzel, Ph. D.  
 Reg. No. 30930  
 Attorney for Applicant(s)

May 4, 2001  
 Date

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